

FILE COPY

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8 Attorney for Plaintiffs
 9 **Huijun Chen, Yuejin Huang and Gang Huang**

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 12 RICHARD W. WEXLING
 13 U.S. DISTRICT COURT
 14 SAN JOSE, CALIFORNIA
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**OPTIONAL
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 11 **UNITED STATES DISTRICT COURT**
 12 **NORTHERN DISTRICT OF CALIFORNIA**
 13 **COMPLAINT**

14 **Huijun Chen, Yuejin Huang and Gang** } Case No.
 15 **Huang,** }
 16

17 Plaintiffs,

18 v.

19 **Alberto Gonzales**, United States Attorney
 20 General, U.S. Department of Justice;
 21 **Michael Chertoff**, Secretary of the
 22 Department of Homeland Security;
 23 **Emilio T. Gonzalez**, Director of United States
 24 Citizenship and Immigration Services,

25 Defendants.

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 28 }
 29 **PLAINTIFFS' ORIGINAL COMPLAINT
 30 FOR WRIT IN THE NATURE OF
 31 MANDAMUS & DECLARATORY
 32 JUDGMENT UNDER 28 U.S.C. § 1361**

33 **Immigration Case**

34 Plaintiffs, Huijun Chen, Yuejin Huang and Gang Huang, by and through their attorney of record,
 35 open this lawsuit against the Defendants and will show this Court the following:

36 1. Plaintiffs bring this action against the Defendants to compel action on the delayed
 37 processing of their I-485, *Application to Register Permanent Residence or Adjust Status*. These
 38 applications remain within the jurisdiction of the Defendants who have improperly delayed and
 39 withheld action on these applications to Plaintiffs' detriment.

PARTIES

2. Plaintiff, Huijun Chen, is the primary applicant of an I-485, *Application to Register Permanent Residence or Adjust Status*, filed with United States Citizenship and Immigration Services (“USCIS”).

3. Plaintiff, Yuejin Huang (Husband), is a derivative applicant of the above I-485, and cannot receive approval for his application until the primary applicant is approved.

4. Plaintiff, Gang Huang (Son), is a derivative applicant of the above I-485, and cannot receive approval for his application until the primary applicant is approved.

9 5. Defendant, Alberto Gonzales, is the Attorney General of the United States and this action
10 is brought against him in his official capacity. He is authorized to adjust to permanent residence
11 status certain aliens who have been admitted to the United States, and is further authorized to
12 delegate such powers to other government officials. Defendant Gonzales is also the head of the
13 Department of Justice, which is the government agency responsible for the FBI name checks.

14 6. Defendant, Michael Chertoff, is the Secretary of the Department of Homeland Security
15 ("DHS"), and this action is brought against him in his official capacity. Defendant Chertoff is
16 generally charged with enforcement of the Immigration and Nationality Act, which provides for
17 the processing of adjustment of status applications.

18 7. Defendant, Emilio T. Gonzalez, is the Director of USCIS, and this action is brought
19 against him in his official capacity. USCIS is an agency within the DHS to which DHS'
20 authority has, in part, been delegated. Defendant Director is generally charged with the overall
21 administration of immigration benefits and services.

JURISDICTION

23 8. Jurisdiction in this case is proper under 28 U.S.C. §§ 1331 and 1361, 5 U.S.C. §§ 551, *et*
24 *seq.* and 701, *et seq.*, and 28 U.S.C. § 2201 *et seq.* Relief is requested pursuant to said statutes.
25 Additionally, attorney fees and costs will be sought pursuant to the Equal Access to Justice Act,
26 28 U.S.C. § 2412(d) and 5 U.S.C. § 504 *et seq.*

VENUE

28 9. Venue is proper in this honorable Court, pursuant to 28 U.S.C. §13391(e), in that Plaintiffs

1 may request a hearing on the matter in the district where Plaintiffs reside.

2 **INTRADISTRICT ASSIGNMENT**

3 10. This lawsuit should be assigned to either the San Francisco Division or Oakland Division
4 of this court because a substantial part of the event or omission which gives rise to this lawsuit
5 occurred in Alameda County.

6 **EXHAUSTION OF REMEDIES**

7 11. Plaintiffs have exhausted their administrative remedies. The Plaintiffs have supplied
8 USCIS and the FBI with documents that clearly establish their eligibility to register as permanent
9 residents, and as will be demonstrated by the evidence, have followed up with numerous
10 inquiries and requests to the pertinent administrative agencies attempting to expedite their
11 delayed applications.

12 **CAUSE OF ACTION**

13 12. Plaintiffs' I-485 applications, filing fees, along with all supporting documentation, were
14 filed with the USCIS California Service Center, on July 28, 2005. These applications were
15 subsequently transferred to the USCIS Nebraska Service Center on March 7, 2007. (**EXHIBIT**
16 **1**)

17 13. On October 11, 2005, Plaintiffs appeared before the USCIS Oakland sub-office to submit
18 their fingerprints. On March 21, 2007, Plaintiffs again submitted their fingerprints to the USCIS
19 Oakland sub-office due to the expiration of their previous fingerprints. (**EXHIBIT 2**)

20 14. Plaintiffs contacted USCIS on July 26, 2006 to inquire about the status of their
21 applications. In the responses dated August 16, and August 18, 2006, the USCIS stated that the
22 application process was delayed due to the FBI name check. (**EXHIBIT 3**)

23 15. Plaintiffs again contacted the USCIS about their delayed applications on November, 30,
24 2006. USCIS on January 3, 2007 responded and affirmed that the processing of their applications
25 were delayed due to the FBI name check. (**EXHIBIT 4**)

26 16. On February 24, 2007, Plaintiffs wrote a letter to United States Senator Dianne Feinstein
27 to request assistance with their stalled applications. In a response dated March 30, 2007, Senator
28 Feinstein informed Plaintiffs that Morgan Galli of her San Francisco office had contacted the FBI

1 on Plaintiffs' behalf. In a letter dated June 22, 2007, Morgan Galli informed Plaintiffs that the
2 name checks were still pending for Huijun Chen and Yuejin Huang, while the name check for
3 Gang Huang was completed on August 9, 2005. (**EXHIBIT 5**)

4 17. Plaintiffs again contacted the USCIS on March 26, 2007 to inquire about their
5 applications. The USCIS responded on April 19, 2007 and stated that their applications were not
6 yet ready for a decision because two name checks had still not been completed. (**EXHIBIT 6**)

7 18. On April 8, 2007, Plaintiffs wrote a letter to First Lady Laura Bush requesting assistance
8 with their stalled applications. In the response letter dated May 29, 2007, the FBI informed
9 Plaintiffs that their applications were still in process. (**EXHIBIT 7**)

10 19. On May 10, 2007, USCIS replied to Plaintiffs regarding a recent fax inquiry about their
11 delayed applications and asked Plaintiffs to inquire online as to the status of their case.

12 (**EXHIBIT 8**)

13 20. On June 5, 2007, Plaintiffs appeared before USCIS San Francisco sub-office for an
14 Infopass appointment to inquire into the status of their applications. Plaintiffs were informed that
15 Plaintiffs' applications are pending due to the FBI Name Checks (**EXHIBIT 9**)

16 21. Although the role of Defendants is pivotal to the security of the United States of America,
17 the Defendants' actions have gone well beyond the expected 9-10 month processing time for the
18 adjudication of an I-485 Application (Please see Nebraska Service Center processing dates for I-
19 485 cases posted June 18, 2007 at **EXHIBIT 10**). Defendants have failed to adhere to their own
20 processing times and procedures.

21 22. Defendants have sufficient information to determine Plaintiffs' eligibility pursuant to the
22 applicable requirements and complete the processing procedures.

23 23. After numerous inquiries by the Plaintiffs, Defendants have unreasonably and
24 inappropriately refused to adjudicate the petitions, thereby depriving Plaintiffs of the rights to
25 which they are entitled.

26 24. Plaintiffs have been greatly damaged by the failure of Defendants to act in accordance
27 with their duties under the law. Specifically:

28 (a) Plaintiffs have been unable to obtain legal permanent residence and thus

1 cannot travel or work without restriction. They must pay additional filing fees
2 each year in order to work and travel legally.

3 (b) Plaintiffs are unable to accrue time to be eligible for naturalization as citizens
4 of the United States, thus delaying their obtainment of the rights and
5 privileges enjoyed by citizens of the United States.

6 25. Defendants in violation of the Administrative Procedures Act at 5 U.S.C. § 706(1), are
7 unlawfully withholding action on Plaintiffs' applications, and have unreasonably delayed action
8 on Plaintiffs' cases.

9 26. Defendants in violation of the Administrative Procedures Act at 5 U.S.C. § 555(b), are
10 unlawfully delaying action on Plaintiffs' applications and have failed to complete the
11 adjudicative functions delegated to them by law within a reasonable time.

12 27. Plaintiffs have provided sufficient evidence of their attempts to secure adjudication of the
13 Application at issue, all to no avail. Their administrative remedies have been exhausted.
14 Accordingly, the Plaintiffs have been forced to retain the services of an attorney to pursue the
15 instant action.

16 **PRAYER**

17 28. WHEREFORE, in view of the arguments and authority noted herein, Plaintiffs
18 respectfully pray that the Defendants be cited to appear herein and that, upon due consideration,
19 the Court enter an order:

20 (a) requiring Defendants to adjudicate Plaintiffs' I-485 applications forthwith;
21 (b) awarding reasonable attorney's fees pursuant to the Equal Access to Justice Act; and
22 (c) granting such other relief at law and in equity as justice may require.

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5 Dated: July 5, 2007

Respectfully Submitted,



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Justin Fok, CSBN: 242272
Attorney for Plaintiffs

EXHIBIT LIST

Exhibit 1: Receipt of I-485 transfer notices to Nebraska Service Center dated March 7, 2007

Exhibit 2: USCIS Fingerprinting Notices dated 10/11/05 and 3/21/07

Exhibit 3: Correspondence with USCIS

Exhibit 4: Correspondence with USCIS

Exhibit 5: Correspondence with Senator Dianne Feinstein and Morgan Galli

Exhibit 6: Correspondence with USCIS

Exhibit 7: Correspondence with First Lady Laura Bush

Exhibit 8: Correspondence with USCIS

Exhibit 9: Infopass Appointment dated June 5, 2007

Exhibit 10: Nebraska Service Center processing dates for I-485 cases posted June 18, 2007

Exhibit 1

UNITED STATES OF AMERICA		
RECEIPT NUMBER WAC-05-212-52008		CASE TYPE 1485 APPLICATION TO ADJUST TO PERMANENT RESIDENT STATUS
RECEIPT DATE July 28, 2005	PRIORITY DATE	APPLICANT A078 068 561 CHEN, HUIJUN
NOTICE DATE March 7, 2007	PAGE 1 of 1	
HUIJUN CHEN [REDACTED] BERKELEY CA 94703		Notice Type: Transfer Notice

This is to advise you that in order to speed up processing we have transferred the above case to the following USCIS office for processing:

Nebraska Service Center, P.O. BOX 82521, Lincoln, NE 68501-2521

That office will notify you of the decision made on the application or petition.

Please read the following information before attempting to contact the National Customer Service Center for an update:

Please refer to the USCIS processing dates webpage, via the USCIS home webpage <http://www.uscis.gov/graphics/index.htm>, to locate the processing dates for the specific service center that your case was transferred to. If the service center is within processing time for your particular application or petition, USCIS cannot provide an update on your case. If the service center is outside of processing time for your particular application or petition, please call Customer Service at 1-800-375-5283 to request an update.

Please read the following information if you submitted a Premium Processing application or petition:

Please contact the Premium Processing phone number at 1-866-315-5718 for inquiries. The 15-day Premium Processing clock does not start until the correct office receives the application or petition.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

U.S. CITIZENSHIP & IMMIGRATION SVC
CALIFORNIA SERVICE CENTER
P. O. BOX 30111
LAGUNA NIGUEL CA 92607-0111
Customer Service Telephone: (800) 375-5283



UNITED STATES OF AMERICA		
RECEIPT NUMBER WAC-05-212-52202		CASE TYPE 1485 APPLICATION TO ADJUST TO PERMANENT RESIDENT STATUS
RECEIPT DATE July 28, 2005	PRIORITY DATE	APPLICANT A099 040 257 HUANG, GANG
NOTICE DATE March 7, 2007	PAGE 1 of 1	
GANG HUANG [REDACTED] BERKELEY CA 94703		Notice Type: Transfer Notice

This is to advise you that in order to speed up processing we have transferred the above case to the following USCIS office for processing:

Nebraska Service Center, P.O. BOX 82521, Lincoln, NE 68501-2521

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U.S. CITIZENSHIP & IMMIGRATION SVC
CALIFORNIA SERVICE CENTER
P. O. BOX 30111
LAGUNA NIGUEL CA 92607-0111
Customer Service Telephone: (800) 375-5283



UNITED STATES OF AMERICA		
RECEIPT NUMBER WAC-05-212-52088		CASE TYPE I485 APPLICATION TO ADJUST TO PERMANENT RESIDENT STATUS
RECEIPT DATE July 28, 2005	PRIORITY DATE	APPLICANT A099 040 256 HUANG, YUEJIN
NOTICE DATE March 7, 2007	PAGE 1 of 1	
YUEJIN HUANG [REDACTED] BERKELEY CA 94703		Notice Type: Transfer Notice

This is to advise you that in order to speed up processing we have transferred the above case to the following USCIS office for processing:

Nebraska Service Center, P.O. BOX 82521, Lincoln, NE 68501-2521

That office will notify you of the decision made on the application or petition.

Please read the following information before attempting to contact the National Customer Service Center for an update:

Please refer to the USCIS processing dates webpage, via the USCIS home webpage <http://www.uscis.gov/graphics/index.htm>, to locate the processing dates for the specific service center that your case was transferred to. If the service center is within processing time for your particular application or petition, USCIS cannot provide an update on your case. If the service center is outside of processing time for your particular application or petition, please call Customer Service at 1-800-375-5283 to request an update.

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Please contact the Premium Processing phone number at 1-866-315-5718 for inquiries. The 15-day Premium Processing clock does not start until the correct office receives the application or petition.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

U. S. CITIZENSHIP & IMMIGRATION SVC
CALIFORNIA SERVICE CENTER
P. O. BOX 30111
LAGUNA NIGUEL CA 92607-0111
Customer Service Telephone: (800) 375-5283



Exhibit 2



ASC Appointment Notice

CASE TYPE	SOCIAL SECURITY NUMBER		NOTICE DATE
I485 Application to Register Permanent Resident or Adjust Status			09/22/2005
APPLICATION NUMBER WAC0521252202	CODE 3	SERVICE CENTER WSC	USCIS A# A099040257 PAGE 1 of 1

GANG HUANG

BERKELEY, CA 94703

ASC SITE CODE: *157977*
 BIOMETRICS QA REVIEW BY: *10-11-05*
 TENPRINTS QA REVIEW BY: *10-11-05*



To process your application, the U. S. Citizenship & Immigration Services (USCIS) must capture your biometrics.

PLEASE APPEAR AT THE BELOW APPLICATION SUPPORT CENTER AT THE DATE AND TIME SPECIFIED.

If you are unable to do so, complete the bottom of this notice and return the entire original notice to the address below.

RESCHEDULING YOUR APPOINTMENT WILL DELAY YOUR APPLICATION. IF YOU FAIL TO APPEAR AS SCHEDULED BELOW AND FAIL TO REQUEST RESCHEDULING, YOUR APPLICATION WILL BE CONSIDERED ABANDONED.

APPLICATION SUPPORT CENTER	DATE AND TIME OF APPOINTMENT
USCIS OAKLAND 2040 TELEGRAPH AVE. OAKLAND, CA 94612	10/11/2005 8:00 AM

WHEN YOU GO TO THE APPLICATION SUPPORT CENTER TO HAVE YOUR BIOMETRICS TAKEN, YOU MUST BRING:

1. THIS APPOINTMENT NOTICE and
2. PHOTO IDENTIFICATION. Naturalization applicants must bring their Alien Registration Card. All other applicants must bring a passport, driver's license, national ID, military ID, or State-issued photo ID. If you appear without proper identification, your biometrics may not be taken.

REQUEST FOR RESCHEDULING

Please reschedule my appointment for the next available: Wednesday afternoon Saturday afternoon

U. S. Citizenship & Immigration Services (USCIS) cannot guarantee the day preferred, but will do so to the extent possible.

Upon receipt of your request, you will be provided a new appointment notice. Please mail your request to:

USCIS OAKLAND
2040 TELEGRAPH AVE.
OAKLAND, CA 94612

APPLICATION NUMBER 1
1485 - WAC0521252202



If you have any questions regarding this notice, please call 1-800-375-5283.

WARNING!

Due to limited seating availability in our lobby area, only persons who are necessary to assist with transportation or completing the biometrics worksheet should accompany you.

If you have open wounds or bandages/casts when you appear, the USCIS may reschedule your appointment if it is determined your injuries will interfere with taking your biometrics.



ASC Appointment Notice		APPLICATION NUMBER WAC0521252008	NOTICE DATE 2/21/2007
CASE TYPE I485 Application to Register Permanent Resident or Adjust Status	BIOMETRICS PROCESSING STAMP HUIJUN CHEN BERKELEY, CA 94703	SOCIAL SECURITY NUMBER USCIS A# A078068561	CODE 1
ASC SITE CODE: BIOMETRICS OA REVIEW BY: HUIJUN CHEN ON TEN PRINTS OA REVIEW BY: 829415 ON 03/21/07		SERVICE CENTER WSC	PAGE 1 of 1

To process your application, the U. S. Citizenship & Immigration Services (USCIS) must capture your biometrics.

PLEASE APPEAR AT THE BELOW APPLICATION SUPPORT CENTER AT THE DATE AND TIME SPECIFIED.

IF YOU FAIL TO APPEAR AS SCHEDULED, YOUR APPLICATION WILL BE CONSIDERED ABANDONED.

APPLICATION SUPPORT CENTER

USCIS OAKLAND
2040 TELEGRAPH AVE.
OAKLAND, CA 94612

PLEASE READ THIS ENTIRE NOTICE CAREFULLY.

DATE AND TIME OF APPOINTMENT

03/07/2007 3/21/07
8:00 AM 1~3PM PM

WHEN YOU GO TO THE APPLICATION SUPPORT CENTER TO HAVE YOUR BIOMETRICS TAKEN, YOU MUST BRING:

1. **THIS APPOINTMENT NOTICE** and
2. **PHOTO IDENTIFICATION.** Naturalization applicants must bring their Alien Registration Card. All other applicants must bring a passport, driver's license, national ID, military ID, or State-issued photo ID. If you appear without proper identification, your biometrics may not be taken.

CELL PHONES, CAMERAS, OR OTHER RECORDING DEVICES ARE NOT PERMITTED.

REQUEST FOR RESCHEDULING

Please reschedule my appointment. Upon receipt of your request, you will be provided a new appointment notice. Make a copy of this notice for your records, then mail the original with your request to USCIS OAKLAND, 2040 TELEGRAPH AVE., OAKLAND, CA 94612

APPLICATION NUMBER 1

I485 - WAC0521252008



If you have any questions regarding this notice, please call 1-800-375-5283.

WARNING!

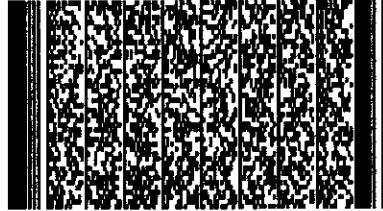
Due to limited seating availability in our lobby area, only persons who are necessary to assist with transportation or completing the biometrics worksheet should accompany you.

If you have open wounds or bandages/casts when you appear, the USCIS may reschedule your appointment if it is determined your injuries will interfere with taking your biometrics.

U.S. GOVERNMENT
DEPARTMENT OF HOMELAND SECURITY
U.S. CITIZENSHIP AND IMMIGRATION SERVICES
U.S. UNITED STATES OF AMERICA

ASC Appointment Notice	APPLICATION NUMBER WAC0521252088	NOTICE DATE 2/21/2007
CASE TYPE I485 Application to Register Permanent Resident or Adjust Status	SOCIAL SECURITY NUMBER	USCIS A# A099040256
	TCR	SERVICE CENTER WSC
BIOMETRICS PROCESSING STAMP	YUEJIN HUANG [REDACTED] BERKELEY, CA 94708	1 of 1

BIOMETRICS PROCESSING STAMP

YUEJIN HUANG
[REDACTED]
BERKELEY, CA 94708ON
TENPRINTS QA REVIEW BY
399384 ON 3/21/07

To process your application, the U. S. Citizenship & Immigration Services (USCIS) must capture your biometrics.
PLEASE APPEAR AT THE BELOW APPLICATION SUPPORT CENTER AT THE DATE AND TIME SPECIFIED.
IF YOU FAIL TO APPEAR AS SCHEDULED, YOUR APPLICATION WILL BE CONSIDERED ABANDONED.

APPLICATION SUPPORT CENTERUSCIS OAKLAND
2040 TELEGRAPH AVE.
OAKLAND, CA 94612**PLEASE READ THIS ENTIRE NOTICE CAREFULLY.****DATE AND TIME OF APPOINTMENT**03/07/2007
8:00 AM

3/21/07

in 3pm 108

WHEN YOU GO TO THE APPLICATION SUPPORT CENTER TO HAVE YOUR BIOMETRICS TAKEN, YOU MUST BRING:

- 1. THIS APPOINTMENT NOTICE** and
- 2. PHOTO IDENTIFICATION.** Naturalization applicants must bring their Alien Registration Card. All other applicants must bring a passport, driver's license, national ID, military ID, or State-issued photo ID. If you appear without proper identification, your biometrics may not be taken.

CELL PHONES, CAMERAS, OR OTHER RECORDING DEVICES ARE NOT PERMITTED.**REQUEST FOR RESCHEDULING**

Please reschedule my appointment. Upon receipt of your request, you will be provided a new appointment notice. Make a copy of this notice for your records, then mail the original with your request to USCIS OAKLAND, 2040 TELEGRAPH AVE., OAKLAND, CA 94612

APPLICATION NUMBER 1

I485 WAC0521252088



If you have any questions regarding this notice, please call 1-800-375-5283.

WARNING!

Due to limited seating availability in our lobby area, only persons who are necessary to assist with transportation or completing the biometrics worksheet should accompany you.

If you have open wounds or bandages/casts when you appear, the USCIS may reschedule your appointment if it is determined your injuries will interfere with taking your biometrics.

**ASC Appointment Notice**

CASE TYPE I485 Application to Register Permanent Resident or Adjust Status	APPLICATION NUMBER WAC0521252202	NOTICE DATE 2/21/2007
	SOCIAL SECURITY NUMBER USCIS # A099040257	CODE 1 SERVICE CENTER WSC

BIOMETRICS PROCESSING STAMP

GANG HUANG

ASC SITE CODE:

BERKELEY, CA 94703

BIOMETRICS QA REVIEW BY:

157991

ON

TENPRINTS QA REVIEW BY:

3-21-07

ON



To process your application, the U. S. Citizenship & Immigration Services (USCIS) must capture your biometrics.

PLEASE APPEAR AT THE BELOW APPLICATION SUPPORT CENTER AT THE DATE AND TIME SPECIFIED.**IF YOU FAIL TO APPEAR AS SCHEDULED, YOUR APPLICATION WILL BE CONSIDERED ABANDONED.****APPLICATION SUPPORT CENTER**USCIS OAKLAND
2040 TELEGRAPH AVE.
OAKLAND, CA 94612**PLEASE READ THIS ENTIRE NOTICE CAREFULLY.****DATE AND TIME OF APPOINTMENT**

03/07/2007

8:00 AM

3/21/07
12:30 PM**WHEN YOU GO TO THE APPLICATION SUPPORT CENTER TO HAVE YOUR BIOMETRICS TAKEN, YOU MUST BRING:**

1. **THIS APPOINTMENT NOTICE** and
2. **PHOTO IDENTIFICATION.** Naturalization applicants must bring their Alien Registration Card. All other applicants must bring a passport, driver's license, national ID, military ID, or State-issued photo ID. If you appear without proper identification, your biometrics may not be taken.

CELL PHONES, CAMERAS, OR OTHER RECORDING DEVICES ARE NOT PERMITTED.**REQUEST FOR RESCHEDULING** Please reschedule my appointment. Upon receipt of your request, you will be provided a new appointment notice. Make a copy of this notice for your records, then mail the original with your request to USCIS OAKLAND, 2040 TELEGRAPH AVE., OAKLAND, CA 94612**APPLICATION NUMBER 1**

I485 - WAC0521252202



If you have any questions regarding this notice, please call 1-800-375-5283.

WARNING!*Due to limited seating availability in our lobby area, only persons who are necessary to assist with transportation or completing the biometrics worksheet should accompany you.**If you have open wounds or bandages/casts when you appear, the USCIS may reschedule your appointment if it is determined your injuries will interfere with taking your biometrics.*

Exhibit 3

U.S. Department of Homeland Security
California Service Center
P.O. Box 30111
Laguna Niguel, CA 92607-0111



**U.S. Citizenship
and Immigration
Services**

Wednesday, August 16, 2006

YUEJIN HUANG
[REDACTED]

BERKELEY CA 94703

Dear YUEJIN HUANG:

On 07/26/2006 you, or the designated representative shown below, contacted us about your case. Some of the key information given to us at that time was the following:

Caller indicated they are:

The applicant

Attorney Name:

Information not available

Case type:

I485

Filing date:

07/28/2005

Receipt #:

WAC-05-212-52088

Beneficiary (if you filed for someone else):

HUANG, YUEJIN

Your USCIS Account Number (A-number):

A099040256

Type of service requested:

Case Status - Outside Processing Time

The status of this service request is:

The Principal applicants I-485 is still pending FBI name check clearance. Once the file has been cleared by FBI, all the riding applicants and principal will be adjudicated. The Service has NO control over how long it takes FBI to clear the case.

If you have any further questions, please call the National Customer Service Center at 1-800-375-5283.

Please remember: By law, every person who is not a U.S. citizen and who is over the age of 14 must also notify the Department of Homeland Security within 10 days from when they move (persons in "A" or "G" nonimmigrant status are exempt from this requirement). If you have moved, please complete a Form AR-11 and mail it to the address shown on that form. If you do not have this form, you can download it from our website or you can call the National Customer Service Center at 1-800-375-5283 and we can order one for you. If you move, please call us with your new address information as soon as your move is complete. If you have already called us and given us this information, you do not need to call again.

U.S. Citizenship and Immigration Services

U.S. Department of Homeland Security
California Service Center
P.O. Box 30111
Laguna Niguel, CA 92607-0111



**U.S. Citizenship
and Immigration
Services**

Wednesday, August 16, 2006

YUEJIN HUANG
[REDACTED]

BERKELEY CA 94703

Dear YUEJIN HUANG:

On 07/26/2006 you, or the designated representative shown below, contacted us about your case. Some of the key information given to us at that time was the following:

Caller indicated they are:

The applicant

Attorney Name:

Information not available

Case type:

I485

Filing date:

07/28/2005

Receipt #:

WAC-05-212-52088

Beneficiary (if you filed for someone else):

HUANG, YUEJIN

Your USCIS Account Number (A-number):

A099040256

Type of service requested:

Case Status - Outside Processing Time

The status of this service request is:

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U.S. Citizenship and Immigration Services

U.S. Department of Homeland Security
California Service Center
P.O. Box 30111
Laguna Niguel, CA 92607-0111



**U.S. Citizenship
and Immigration
Services**

Friday, August 18, 2006

HUIJUN CHEN
[REDACTED]

BERKELEY CA 94703

Dear HUIJUN CHEN:

On 07/26/2006 you, or the designated representative shown below, contacted us about your case. Some of the key information given to us at that time was the following:

Person who contacted us:	HUANG, YUEJIN
Caller indicated they are:	A translator
Attorney Name:	Information not available
Case type:	I485
Filing date:	07/28/2005
Receipt #:	WAC-05-212-52008
Beneficiary (if you filed for someone else):	CHEN, HUIJUN
Your USCIS Account Number (A-number):	A078068561
Type of service requested:	Case Status - Outside Processing Time

The status of this service request is:

The processing of your case has been delayed. A check of our records establishes that your case is not yet ready for decision, as the required investigation into your background remains open.

Until the background investigation is completed, we cannot move forward on your case. These background checks are required to be completed on all applicants who apply for the immigration benefit you are seeking. We will make every effort to make a decision on this case as soon as the background checks are complete. If you do not receive a decision or other notice of action from us within 6 months of this letter, please contact us by calling our customer service number provided below.

If you have any further questions, please call the National Customer Service Center at 1-800-375-5283.

Please remember: By law, every person who is not a U.S. citizen and who is over the age of 14 must also notify the Department of Homeland Security within 10 days from when they move (persons in "A" or "G" nonimmigrant status are exempt from this requirement). If you have moved, please complete a Form AR-11 and mail it to the address shown on that form. If you do not have this form, you can download it from our website or you can call the National Customer Service Center at 1-800-375-5283 and we can order one for you. If you move, please call us with your new address information as soon as your move is complete. If you have already called us and given us this information, you do not need to call again.

U.S. Citizenship and Immigration Services

U.S. Department of Homeland Security
California Service Center
P.O. Box 30111
Laguna Niguel, CA 92607-0111



**U.S. Citizenship
and Immigration
Services**

Friday, August 18, 2006

HUIJUN CHEN
[REDACTED]

BERKELEY CA 94703

Dear HUIJUN CHEN:

On 07/26/2006 you, or the designated representative shown below, contacted us about your case. Some of the key information given to us at that time was the following:

Person who contacted us:	HUANG, YUEJIN
Caller indicated they are:	A translator
Attorney Name:	Information not available
Case type:	I485
Filing date:	07/28/2005
Receipt #:	WAC-05-212-52008
Beneficiary (if you filed for someone else):	CHEN, HUIJUN
Your USCIS Account Number (A-number):	A078068561
Type of service requested:	Case Status - Outside Processing Time

The status of this service request is:

The processing of your case has been delayed. A check of our records establishes that your case is not yet ready for decision, as the required investigation into your background remains open.

Until the background investigation is completed, we cannot move forward on your case. These background checks are required to be completed on all applicants who apply for the immigration benefit you are seeking. We will make every effort to make a decision on this case as soon as the background checks are complete. If you do not receive a decision or other notice of action from us within 6 months of this letter, please contact us by calling our customer service number provided below.

If you have any further questions, please call the National Customer Service Center at 1-800-375-5283.

Please remember: By law, every person who is not a U.S. citizen and who is over the age of 14 must also notify the Department of Homeland Security within 10 days from when they move (persons in "A" or "G" nonimmigrant status are exempt from this requirement). If you have moved, please complete a Form AR-11 and mail it to the address shown on that form. If you do not have this form, you can download it from our website or you can call the National Customer Service Center at 1-800-375-5283 and we can order one for you. If you move, please call us with your new address information as soon as your move is complete. If you have already called us and given us this information, you do not need to call again.

U.S. Citizenship and Immigration Services

Exhibit 4

U.S. Department of Homeland Security
California Service Center
P.O. Box 30111
Laguna Niguel, CA 92607-0111



**U.S. Citizenship
and Immigration
Services**

Wednesday, January 3, 2007

HUIJUN CHEN
[REDACTED]

BERKELEY CA 94703

Dear HUIJUN CHEN:

On 11/30/2006 you, or the designated representative shown below, contacted us about your case. Some of the key information given to us at that time was the following:

Person who contacted us:	HUANG, YUEJIN
Caller indicated they are:	A translator
Attorney Name:	Information not available
Case type:	I485
Filing date:	07/28/2005
Receipt #:	WAC-05-212-52008
Beneficiary (if you filed for someone else):	CHEN, HUIJUN
Your USCIS Account Number (A-number):	A078068561
Type of service requested:	Non-delivery

The status of this service request is:

Thank you for your inquiry. The processing of your I-485 applications have been delayed because the principal's background security/name check has not yet cleared by the FBI as of this date. We regret to inform you that until the result is received the USCIS must suspend further processing on the case. Please note that all the pending applications will not be processed until the principal's application is processed. However, we have no control of how long it takes to the FBI to clear the case.

If you have any further questions, please call the National Customer Service Center at 1-800-375-5283.

Please remember: By law, every person who is not a U.S. citizen and who is over the age of 14 must also notify the Department of Homeland Security within 10 days from when they move (persons in "A" or "G" nonimmigrant status are exempt from this requirement). If you have moved, please complete a Form AR-11 and mail it to the address shown on that form. If you do not have this form, you can download it from our website or you can call the National Customer Service Center at 1-800-375-5283 and we can order one for you. If you move, please call us with your new address information as soon as your move is complete. If you have already called us and given us this information, you do not need to call again.

U.S. Citizenship and Immigration Services

U.S. Department of Homeland Security
California Service Center
P.O. Box 30111
Laguna Niguel, CA 92607-0111



**U.S. Citizenship
and Immigration
Services**

Wednesday, January 3, 2007

HUIJUN CHEN
[REDACTED]

BERKELEY CA 94703

Dear HUIJUN CHEN:

On 11/30/2006 you, or the designated representative shown below, contacted us about your case. Some of the key information given to us at that time was the following:

Person who contacted us:	HUANG, YUEJIN
Caller indicated they are:	A translator
Attorney Name:	Information not available
Case type:	I485
Filing date:	07/28/2005
Receipt #:	WAC-05-212-52008
Beneficiary (if you filed for someone else):	CHEN, HUIJUN
Your USCIS Account Number (A-number):	A078068561
Type of service requested:	Non-delivery

The status of this service request is:

Thank you for your inquiry. The processing of your I-485 applications have been delayed because the principal's background security/name check has not yet cleared by the FBI as of this date. We regret to inform you that until the result is received the USCIS must suspend further processing on the case. Please note that all the riding applications will not be processed until the principal's application is processed. However, we have no control of how long it takes to the FBI to clear the case.

If you have any further questions, please call the National Customer Service Center at 1-800-375-5283.

Please remember: By law, every person who is not a U.S. citizen and who is over the age of 14 must also notify the Department of Homeland Security within 10 days from when they move (persons in "A" or "G" nonimmigrant status are exempt from this requirement). If you have moved, please complete a Form AR-11 and mail it to the address shown on that form. If you do not have this form, you can download it from our website or you can call the National Customer Service Center at 1-800-375-5283 and we can order one for you. If you move, please call us with your new address information as soon as your move is complete. If you have already called us and given us this information, you do not need to call again.

U.S. Citizenship and Immigration Services

Exhibit 5

Data: Feb.24, 2007

From: Huijun Chen

Address: [REDACTED] Berkeley, CA 94703

e-mail: [REDACTED]

Phone: [REDACTED]

To: Dear Senator Dianne Feinstein

Address: 331 Hart Senate Office Building, Washington, D.C. 20510-0504

Dear Senator Dianne Feinstein,

I am writing to beg your assistance in getting more information about my name check or possibly a decision on my application for US permanent residency with the USCIS.

My application to register permanent residence I-485 was filed on July 28, 2005 with California Service Center, USCIS. Since filing, one year and half has passed without any decision made. It is outside of processing time. During this time, I contacted the USCIS to inquire about the status of my case with phone two times. One was on 07/26/2006, the other was on 11/30/2006. In the first time they gave me a letter it said the processing of my case had been delayed. A check of their records established that my case was not yet ready for decision, as the required investigation into my background remained open. The letter also told me if I do not receive a decision or other notice of action within 6 months, I should contact the USCIS again for further action.

On 11/30/2006, I contacted the USCIS for the second time to inquire about the status of my case. After over one month later, I received a letter response from USCIS (please see attached letter) to the effect that my case was delayed because the USCIS was waiting for my background check with the FBI to clear. It also states that they have no control of how long it takes to the FBI to clear the case.

I love the United States and I understand name check is very important to the national security. However, a big and long time processing has made us to be stranded and tormented with fears of uncertainty and extreme distress. I am the principal applicant I-485. As my I-485 is still pending FBI name check clearance, my husband and son, the riding applications could not be processed. The most worried matter I have is about my son's status. Last year he entered into the University of Chicago. Because his adjustment of status is pending, his status in the university is in uncertainty, not a permanent resident student, also not a foreign student. Moreover, He is currently a riding applicant for the green card. However if he turns 21 years old in February of 2009, he is going to lost his eligibility for riding applicant. As a mother, I am very worried about this.

I have no way and have to only respectfully look for your assistance in asking the FBI and USCIS to expedite my background investigation and let me know when I might

DIANNE FEINSTEIN
CALIFORNIACOMMITTEE ON APPROPRIATIONS
COMMITTEE ON THE JUDICIARY
COMMITTEE ON RULES AND
ADMINISTRATION—CHAIRMAN
SELECT COMMITTEE ON INTELLIGENCE

United States Senate

WASHINGTON, DC 20510-0504

<http://feinstein.senate.gov>

March 30, 2007

Mr. Yue Jin Huang

Berkeley, California 94703

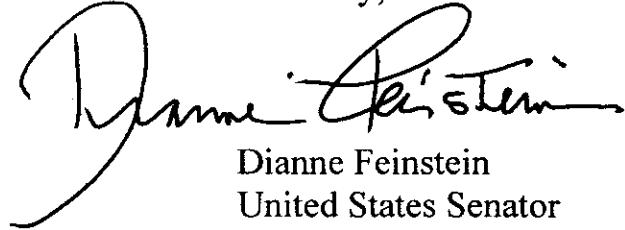
Dear Mr. Huang:

Thank you for contacting my office regarding your concerns with the status of your name check. I appreciate your bringing this to my attention and giving me an opportunity to see if my office can be of assistance.

I have asked Morgan Galli in my San Francisco office to assist you. Ms. Galli has contacted the Federal Bureau of Investigation on your behalf. You will hear back from my office when a response is received from the agency, which usually takes eight to ten weeks.

Again, thank you for contacting me. My San Francisco staff will do all they can to help you.

Sincerely,



Dianne Feinstein
United States Senator

DF:mg

FRESNO OFFICE:
2500 TULARE STREET
SUITE 4290
FRESNO, CA 93721
(559) 485-7430

LOS ANGELES OFFICE:
11111 SANTA MONICA BOULEVARD
SUITE 915
LOS ANGELES, CA 90025
(310) 914-7300

SAN DIEGO OFFICE:
750 B STREET
SUITE 1030
SAN DIEGO, CA 92101
(619) 231-9712

SAN FRANCISCO OFFICE:
ONE POST STREET
SUITE 2450
SAN FRANCISCO, CA 94104
(415) 393-0707

DIANNE FEINSTEIN
CALIFORNIACOMMITTEE ON APPROPRIATIONS
COMMITTEE ON THE JUDICIARY
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SELECT COMMITTEE ON INTELLIGENCE

United States Senate

WASHINGTON, DC 20510-0504

<http://feinstein.senate.gov>

March 30, 2007

Mrs. Hui Jun Chen

Berkeley, California 94703

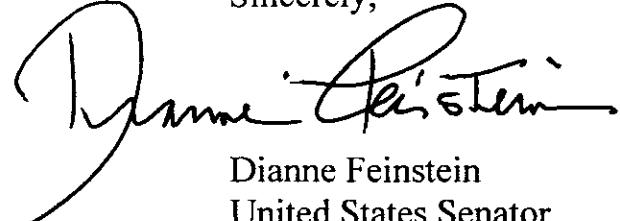
Dear Mrs. Chen:

Thank you for contacting my office regarding your concerns with the status of your name check. I appreciate your bringing this to my attention and giving me an opportunity to see if my office can be of assistance.

I have asked Morgan Galli in my San Francisco office to assist you. Ms. Galli has contacted the Federal Bureau of Investigation on your behalf. You will hear back from my office when a response is received from the agency, which usually takes eight to ten weeks.

Again, thank you for contacting me. My San Francisco staff will do all they can to help you.

Sincerely,


Dianne Feinstein
United States Senator

DF:mg

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SAN FRANCISCO, CA 94104
(415) 393-0707

United States Senate

WASHINGTON, DC 20510-0504

<http://feinstein.senate.gov>

March 30, 2007

Mr. Gang Huang

[REDACTED]
Berkeley, California 94703

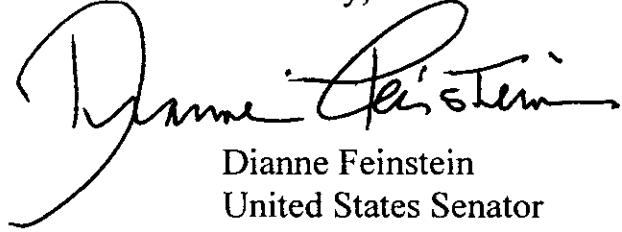
Dear Mr. Huang:

Thank you for contacting my office regarding your concerns with the status of your name check. I appreciate your bringing this to my attention and giving me an opportunity to see if my office can be of assistance.

I have asked Morgan Galli in my San Francisco office to assist you. Ms. Galli has contacted the Federal Bureau of Investigation on your behalf. You will hear back from my office when a response is received from the agency, which usually takes eight to ten weeks.

Again, thank you for contacting me. My San Francisco staff will do all they can to help you.

Sincerely,



Dianne Feinstein
United States Senator

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DIANNE FEINSTEIN
CALIFORNIA

COMMITTEE ON APPROPRIATIONS
COMMITTEE ON THE JUDICIARY
COMMITTEE ON RULES AND
ADMINISTRATION—CHAIRMAN
SELECT COMMITTEE ON INTELLIGENCE

United States Senate

WASHINGTON, DC 20510-0504

<http://feinstein.senate.gov>

June 22, 2007

Mrs. Hui Jun Chen

[REDACTED]
Berkeley, California 94703

Dear Mrs. Chen:

The Federal Bureau of Investigation has told me that you have two name checks requests which are still pending. The first has been pending since August 9, 2005, and the second since January 26, 2006. The FBI requests that our office wait ninety days before making a follow up inquiry.

I hope that this information is helpful and that it will clarify the situation for you. If you have further questions, or if there is any way the Senator's office can help you in the future on other federal matters, I hope you will contact us again.

Sincerely,



Morgan Galli
Constituent Services Representative

FRESNO OFFICE:
2600 TULARE STREET
SUITE 4290
FRESNO, CA 93721
(559) 485-7430

LOS ANGELES OFFICE:
11111 SANTA MONICA BOULEVARD
SUITE 915
Los Angeles, CA 90025
(310) 814-7300

SAN DIEGO OFFICE:
750 B STREET
SUITE 1030
SAN DIEGO, CA 92101
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SAN FRANCISCO, CA 94104
(415) 293-0707

DIANNE FEINSTEIN
CALIFORNIA

COMMITTEE ON APPROPRIATIONS
COMMITTEE ON THE JUDICIARY
COMMITTEE ON RULES AND
ADMINISTRATION—CHAIRMAN
SELECT COMMITTEE ON INTELLIGENCE

United States Senate

WASHINGTON, DC 20510-0504

<http://feinstein.senate.gov>

June 22, 2007

Mr. Yue Jin Huang
[REDACTED]
Berkeley, California 94703

Dear Mr. Huang:

The Federal Bureau of Investigation has told me that you have two name check requests which are still pending. The first has been pending since August 9, 2005, and the second since January 24, 2006. The FBI requests that our office wait ninety days before making a follow up inquiry.

I hope that this information is helpful and that it will clarify the situation for you. If you have further questions, or if there is any way the Senator's office can help you in the future on other federal matters, I hope you will contact us again.

Sincerely,



Morgan Galli
Constituent Services Representative

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FRESNO, CA 93721
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CALIFORNIA

COMMITTEE ON APPROPRIATIONS
COMMITTEE ON THE JUDICIARY
COMMITTEE ON RULES AND
ADMINISTRATION—CHAIRMAN
SELECT COMMITTEE ON INTELLIGENCE

United States Senate

WASHINGTON, DC 20510-0504

<http://feinstein.senate.gov>

June 22, 2007

Mr. Gang Huang

[REDACTED]
Berkeley, California 94703

Dear Mr. Huang:

The Federal Bureau of Investigation has told me that your name check was completed on August 9, 2005.

I hope that this information is helpful and that it will clarify the situation for you. If you have further questions, or if there is any way the Senator's office can help you in the future on other federal matters, I hope you will contact us again.

Sincerely,



Morgan Galli
Constituent Services Representative

FRESNO OFFICE:
2500 TULARE STREET
SUITE 4290
FRESNO, CA 93721
(559) 485-7430

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Exhibit 6

U.S. Department of Homeland Security
California Service Center
P.O. Box 30111
Laguna Niguel, CA 92607-0111



**U.S. Citizenship
and Immigration
Services**

Thursday, April 19, 2007

HUIJUN CHEN
[REDACTED]

BERKEY CA 94703

Dear Huijun Chen:

On 03/26/2007 you, or the designated representative shown below, contacted us about your case. Some of the key information given to us at that time was the following:

Caller indicated they are:

The applicant

Attorney Name:

Information not available

Case type:

I485

Filing date:

Information not available

Receipt #:

wac-05-212-52008

Beneficiary (if you filed for someone else):

Chen, Huijun

Your USCIS Account Number (A-number):

Information not available

Type of service requested:

Case Status - Outside Processing Time

The status of this service request is:

The processing of your case has been delayed. A check of our records establishes that your case is not yet ready for decision, as the required investigation into your background remains open.

Until the background investigation is completed, we cannot move forward on your case. These background checks are required to be completed on all applicants who apply for the immigration benefit you are seeking. We will make every effort to make a decision on this case as soon as the background checks are complete. If you do not receive a decision or other notice of action from us within 6 months of this letter, please contact us by calling our customer service number provided below.

If you have any further questions, please call the National Customer Service Center at 1-800-375-5283.

Please remember: By law, every person who is not a U.S. citizen and who is over the age of 14 must also notify the Department of Homeland Security within 10 days from when they move (persons in "A" or "G" nonimmigrant status are exempt from this requirement). If you have moved, please complete a Form AR-11 and mail it to the address shown on that form. If you do not have this form, you can download it from our website or you can call the National Customer Service Center at 1-800-375-5283 and we can order one for you. If you move, please call us with your new address information as soon as your move is complete. If you have already called us and given us this information, you do not need to call again.

U.S. Citizenship and Immigration Services

U.S. Department of Homeland Security
 California Service Center
 P.O. Box 30111
 Laguna Niguel, CA 92607-0111



**U.S. Citizenship
and Immigration
Services**

Thursday, April 19, 2007

HUIJUN CHEN
 [REDACTED]

BERKEY CA 94703

Dear Huijun Chen:

On 03/26/2007 you, or the designated representative shown below, contacted us about your case. Some of the key information given to us at that time was the following:

Caller indicated they are:

Attorney Name:

The applicant

Case type:

Information not available

Filing date:

I485

Receipt #:

Information not available

Beneficiary (if you filed for someone else):

wac-05-212-52008

Your USCIS Account Number (A-number):

Chen, Huijun

Type of service requested:

Information not available

Case Status - Outside Processing Time

The status of this service request is:

The processing of your case has been delayed. A check of our records establishes that your case is not yet ready for decision, as the required investigation into your background remains open.

Until the background investigation is completed, we cannot move forward on your case. These background checks are required to be completed on all applicants who apply for the immigration benefit you are seeking. We will make every effort to make a decision on this case as soon as the background checks are complete. If you do not receive a decision or other notice of action from us within 6 months of this letter, please contact us by calling our customer service number provided below.

If you have any further questions, please call the National Customer Service Center at 1-800-375-5283.

Please remember: By law, every person who is not a U.S. citizen and who is over the age of 14 must also notify the Department of Homeland Security within 10 days from when they move (persons in "A" or "G" nonimmigrant status are exempt from this requirement). If you have moved, please complete a Form AR-11 and mail it to the address shown on that form. If you do not have this form, you can download it from our website or you can call the National Customer Service Center at 1-800-375-5283 and we can order one for you. If you move, please call us with your new address information as soon as your move is complete. If you have already called us and given us this information, you do not need to call again.

U.S. Citizenship and Immigration Services

Exhibit 7

Data: April 8, 2007
From: Huijun Chen
Address: [REDACTED] Berkeley, CA 94703
e-mail: [REDACTED]
Phone: [REDACTED]

To: Dear First Lady Laura Welch Bush
Address: The White House, Washington, D.C.20500

Dear First Lady Laura Welch Bush,

I am writing to beg your assistance in getting more information about my name check or possibly a decision on my application for US permanent residency with the USCIS.

My application to register permanent residence I-485 was filed on July 28, 2005 with USCIS California Service Center. Since filing, one year and half has passed without any decision made. It is outside of processing time. During this time, I contacted the USCIS to inquire about the status of my case with phone two times. One was on 07/26/2006, the other was on 11/30/2006. In the first time they gave me a letter it said the processing of my case had been delayed. A check of their records established that my case was not yet ready for decision, as the required investigation into my background remained open. The letter also told me if I do not receive a decision or other notice of action within 6 months, I should contact the USCIS again for further action.

On 11/30/2006, I contacted the USCIS for the second time to inquire about the status of my case. After over one month later, I received a letter response from USCIS (please see attached letter) to the effect that my case was delayed because the USCIS was waiting for my background check with the FBI to clear. It also states that they have no control of how long it takes to the FBI to clear the case.

I love the United States and I understand name check is very important to the national security. However, a big and long time processing has made us to be stranded and tormented with fears of uncertainty and extreme distress. I am the principal applicant I-485. As my I-485 is still pending FBI name check clearance, my husband and son, the riding applications could not be processed on. The most worried matter I have is about my son's status. Last year he entered into the University of Chicago. Because his adjustment of status is pending, his status in the university is in uncertainty, not a permanent resident student, also not a foreign student. Moreover, He is currently a riding applicant for the green card. However if he turns 21 years old in February of 2009, he is going to lost his eligibility for riding applicant. As a mother, I am very worried about this.

I have no way and have to only respectfully look for your kind assistance in asking the FBI and USCIS to expedite my background investigation and let me know when I might expect a decision. Details of my case and the riding applicants are as below:



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535-0001

WH 591518

May 29, 2007

Ms. Huijun Chen
[REDACTED]

Berkeley, CA 94703

Dear Ms. Chen:

Your letter dated April 8, 2007, directed to Mrs. George W. Bush concerning your name check status for immigration purposes, was forwarded to the Department of Justice and subsequently referred to the Federal Bureau of Investigation (FBI) for reply.

A review of the FBI's Name Check Program database revealed that a request was received for you from the United States Citizenship and Immigration Services on August 9, 2005, and January 24, 2006. Both of these submissions are currently in process.

The FBI processes millions of name check requests each year with each requiring thoughtful consideration. We know how important this information is to you; however, the FBI must also balance the need for national security in preparing the response to each of these requests. The FBI's homeland security mission requires that our name check process be primarily focused on an accurate and thorough result. While an exact date for completion of this review cannot be given, you may be assured that the results will be made available to the immigration authorities as quickly as possible.

I trust this information will be of assistance.

Sincerely,


For: Michael A. Cannon
Section Chief
National Name Check Program Section
Records Management Division

Exhibit 8

U.S. Department of Homeland Security



U.S. Citizenship
and Immigration
Services

MAY 10 2007

CHEN HUI JUN
C/O ASIAMERICA GROUP
801 S. 1ST STREET #A
ALHAMBRA CA 91801

A-Number / Receipt Number:

A 078068561 / A 0990H0257
A 0990H0256

Dear Sir or Madam:

Thank you for your recent inquiry to the California Service Center (CSC) via fax or letter for information regarding your case status. USCIS has launched a new referral tracking system through our National Customer Service Center. To ensure that customer inquiries are handled as effectively and quickly as possible, we ask that you call our National Customer Service Center, which is available Monday through Friday, 8:00 AM – 5:00 PM, PST at **1-800-375-5283**. The National Customer Service Center will track your inquiry with us to resolution.

Please note that we will continue to accept expedite requests via fax at 949-389-3441. Expedite requests must meet the criteria noted on our website at <http://www.uscis.gov/portal/site/uscis> - click on the "My Case is Pending" link.

Most importantly, USCIS provides a case-status online inquiry service on our website at www.uscis.gov – just click on the "Case Status & Processing Dates" link. Finally, the USCIS website also includes a chart that reports current processing dates for particular applications and petitions in relation to the date the application or petition was filed. The USCIS processes cases in the order received.

Thank you.

Exhibit 9



姓名 : **Huijun Chen**

约谈类型 : **Speak to immigration officer**

确认号码 : **SFR-07-18089**

验证代码 **17390**

约谈日期 : **June 5, 2007**

约谈时间 : **10:30 AM**

地点 : **444 WASHINGTON STREET, San Francisco, CA 94111; LOBBY**

这是你的“确认号码” :



* S F R - 0 7 - 1 8 0 8 9 *

如果要取消此次约谈, 需要提供以下“个人识别号” :

54789

请务必准时。如果不能准时到达, 会导致取消约谈。这样的话, 就需要再重新排定约谈时间。在排定的约谈时间前 15 分钟, 你才被允许进入。

- 你一定要亲自前来, 并携带有照片的身份证明和这封约谈信。
- 可以接受的身份证明包括: 政府签发的身份、护照、有孩子的驾照、I-94、工作许可证或永久子女(绿卡)。
- 为了能更有效地为你服务, 我们要求你携带所有适用的移民表格、信函、收据、翻译件以及辅助说明文档的原件。
- **NOTE: Cell phones that have camera features are not permitted in the building. Food and drinks are not permitted in the waiting room. In order to facilitate easy and swift entrance, you are advised to keep handbags and metal objects to a minimum by leave such items at home or with persons who will remain outside the building.**

Exhibit 10



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U.S. Citizenship and Immigration Services Nebraska Service Center Service Center Processing Dates Posted June 18, 2007

Notice: U.S. Citizenship and Immigration Services (USCIS) has improved the reporting procedure for processing times of immigration benefit applications. In the past, USCIS benefit processing reports indicated the specific type of applications or petitions that were being processed and the date the cases were received. However, the date the case was received did not provide a clear indication of when USCIS expected to complete the case, nor did it provide a clear indication of USCIS' commitment to process cases within a certain cycle time. It also did not align with the processing times and cycle times the agency reports in other contexts.

This improved reporting procedure is an effort to give our customers more accurate information that better reflects current processing time and USCIS service level commitments. Effective immediately, when we are completing applications and petitions within our service level goals we will report that as the processing time. For example, when our service level goal is to process a particular kind of case within six months, and if our processing time is six months or less, we will show a date consistent with our service level goal because that reflects our commitment.

When we are not meeting our service level goal, the date posted will reflect the filing date of cases that are being completed. It should be noted that while in some instances reported processing dates may appear to have regressed due to this change, they do not reflect a lengthening of USCIS processing times, but simply the change in reporting. Our goal is to provide accurate projections and thus give customers clear expectations as to what they can expect as a processing time.

There are several important exceptions to the processing times shown below:

- Case processing will be delayed if we must ask you for more evidence or information. If we ask for missing required initial evidence, count the processing time from when we receive that missing evidence.
- The case processing timeframe will start over if a customer doesn't appear for an interview or asks that it be rescheduled.

What if I have a problem or have questions about a case?

We offer a variety of services after you file. For example, for most kinds of cases you can [check the status of your case online](#).

For more information about when and how to contact us, whether your case is outside our processing time or if there are other issues, please see our fact sheet –

[Case Services - How do I... know what kind of services are available to me after I file my application or petition?](#)

One additional point about these projections. They are the time to complete processing and mail the actual notice

and/or document. If you check case status online and see that your case has been approved, and you haven't yet received your approval notice or document in the mail, we ask that you wait thirty days from the approval date before contacting us. That is because it may take that long before it is returned to us as undeliverable. You can also print the case status online answer for your records.

Service Center Processing Dates for Nebraska Service Center Posted June 18, 2007

Form	Title	City, State or Basis for Filing	Non-Immigrant Cases with Receipt Date of
I-90	Application to Replace Permanent Resident Card	Initial issuance or replacement	November 06, 2006
I-90	Application to Replace Permanent Resident Card	10-year renewal	September 11, 2005
I-90A	Application to Replace Permanent Resident Card	Initial issuance or replacement for Special Agricultural Workers (SAW)	September 14, 2006
I-102	Application for Replacement/Initial Nonimmigrant Arrival/Departure Record	Initial issuance or replacement of a Form I-94	March 15, 2007
I-129	Petition for A Nonimmigrant Worker	H-1B - Specialty occupation - Visa to be issued abroad	May 15, 2006
I-129	Petition for A Nonimmigrant Worker	H-1B - Specialty occupation - Change of status in the U.S.	May 15, 2006
I-129	Petition for A Nonimmigrant Worker	H-1B - Specialty occupation - Extension of stay in the U.S.	May 15, 2006
I-129	Petition for A Nonimmigrant Worker	H-2A - Temporary workers	May 31, 2007
I-129	Petition for A Nonimmigrant Worker	H-2B - Other temporary workers	May 16, 2007
I-129	Petition for A Nonimmigrant Worker	H-3 - Temporary trainees	May 15, 2006
I-129	Petition for A Nonimmigrant Worker	L - Intracompany transfers	May 16, 2007
I-129	Petition for A Nonimmigrant Worker	Blanket L	May 15, 2006
I-129	Petition for A Nonimmigrant Worker	O - Extraordinary ability	May 15, 2006
I-129	Petition for A Nonimmigrant Worker	P - Athletes, artists, and entertainers	May 15, 2006
I-129	Petition for A Nonimmigrant Worker	Q - Cultural exchange visitors and exchange visitors participating in the Irish Peace process	May 15, 2006
I-129	Petition for A Nonimmigrant Worker	R - Religious occupation	May 15, 2006
I-129	Petition for A Nonimmigrant Worker	TN - North American Free Trade Agreement (NAFTA) professional	May 15, 2006
I-131	Application for Travel Document	Permanent resident applying for a re-entry permit	February 12, 2007
I-131	Application for Travel Document	Refugee or asylee applying for a refugee travel document	February 12, 2007
I-131	Application for Travel Document	Haitian Refugee Immigrant Fairness Act (HRIFA) principal applying for advance parole	March 15, 2007

I-131	Application for Travel Document	Haitian Refugee Immigrant Fairness Act (HRIFA) dependent applying for advance parole	September 14, 2006
I-131	Application for Travel Document	All other applicants for advance parole	March 15, 2007
I-140	Immigrant Petition for Alien Worker	Extraordinary ability	September 20, 2006
I-140	Immigrant Petition for Alien Worker	Outstanding professor or researcher	November 24, 2006
I-140	Immigrant Petition for Alien Worker	Multinational executive or manager	August 17, 2006
I-140	Immigrant Petition for Alien Worker	Schedule A Nurses	August 28, 2006
I-140	Immigrant Petition for Alien Worker	Advanced degree or exceptional ability	September 05, 2006
I-140	Immigrant Petition for Alien Worker	Advanced degree or exceptional ability requesting a National Interest Waiver	July 25, 2006
I-140	Immigrant Petition for Alien Worker	Skilled worker or professional	October 03, 2006
I-140	Immigrant Petition for Alien Worker	Unskilled worker	October 20, 2006
I-212	Application for Permission to Reapply for Admission into the U.S. After Deportation or Removal	Readmission after deportation or removal	June 25, 2006
I-360	Petition for Amerasian, Widow(er), or Special Immigrant	All other special immigrants	December 14, 2006
I-485	Application to Register Permanent Residence or to Adjust Status	Employment-based adjustment applications	September 26, 2006
I-485	Application to Register Permanent Residence or to Adjust Status	Based on grant of asylum more than 1 year ago	January 01, 2006
I-485	Application to Register Permanent Residence or to Adjust Status	Based on refugee admission more than 1 year ago	September 26, 2006
I-485	Application to Register Permanent Residence or to Adjust Status	Under the Haitian Refugee Immigrant Fairness Act (HRIFA)	December 14, 2006
I-485	Application to Register Permanent Residence or to Adjust Status	Under the Indochinese Adjustment Act	August 19, 2006
I-539	Application to Extend/Change Nonimmigrant Status	Change of status to H or L dependents	March 03, 2007
I-539	Application to Extend/Change Nonimmigrant Status	Change status to the F or M academic or vocational student categories	March 03, 2007
I-539	Application to Extend/Change Nonimmigrant Status	Change Status to the J exchange visitor category	March 03, 2007
I-539	Application to Extend/Change Nonimmigrant Status	All other change of status applications	March 03, 2007
I-539	Application to Extend/Change Nonimmigrant Status	Extension of stay for H and L dependents	March 03, 2007
I-539	Application to Extend/Change Nonimmigrant Status	Extension of Stay for F or M academic or vocational students	March 03, 2007
I-539	Application to Extend/Change Nonimmigrant Status	Extension of Stay for J exchange visitors	March 03, 2007
I-539	Application to Extend/Change Nonimmigrant Status	All other extension applications	March 03, 2007

I-612	Application for Waiver of the Foreign Residence Requirement	Application for a waiver of the 2-year foreign residence requirement based on exceptional hardship or persecution	December 10, 2006
I-730	Refugee/Asylee Relative Petition	Petition for accompanying family members of a refugee or an asylee	July 01, 2006
I-751	Petition to Remove the Conditions on Residence	Removal of lawful permanent resident conditions (spouses of U.S. citizens and lawful permanent residents)	October 13, 2006
I-765	Application for Employment Authorization	Based on an approved asylum application [(a)(5)]	May 17, 2007
I-765	Application for Employment Authorization	Based on a request by a qualified F-1 academic student. [(c)(3)]	March 29, 2007
I-765	Application for Employment Authorization	Based on a pending asylum application [(c)(8)]	May 17, 2007
I-765	Application for Employment Authorization	Based on a pending I-485 adjustment application [(c)(9)]	March 26, 2007
I-765	Application for Employment Authorization	All other applications for employment authorization	March 23, 2007
I-817	Application for Family Unity Benefits	Voluntary departure under the family unity program	December 14, 2006
I-824	Application for Action on an Approved Application or Petition	To request further action on an approved application or petition	November 22, 2006

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